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Attorneys for Defendant  
TEXAS EASTERN OVERSEAS, INC.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

AMERIPRIDE SERVICES INC., a  
Delaware corporation,

Plaintiff,

vs.

VALLEY INDUSTRIAL SERVICES, INC.,  
a former California Corporation, et al.

Defendants.

AND CONSOLIDATED ACTION AND  
CROSS AND COUNTER-CLAIMS.

**FILED**

**OCT 19 2016**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY  DEPUTY CLERK

Case No. 2:00-cv-00113-MCE-DB

**STIPULATION AND ORDER RE  
ADMISSIBILITY OF ENVIRONMENTAL  
CONSULTANT DOCUMENTS**

Trial Date: October 17-19, 2016  
Time: 9:00 a.m.  
Courtroom: 7  
Judge: Hon. Morrison C. England, Jr.

Complaint Filed: January 20, 2000

1 Plaintiff AMERIPRIDE SERVICES INC. ("AmeriPride") and Defendant TEXAS  
2 EASTERN OVERSEAS, INC. ("TEO"), by and through their respective counsel, stipulate  
3 as follows with respect to the admissibility of environmental consultant documents or  
4 records:

5 **RECITALS**

6 1. AmeriPride and TEO each have designated certain documents and records  
7 of environmental consultants as evidence to be introduced at trial;

8 2. AmeriPride and TEO agree that the trial will proceed more efficiently by  
9 eliminating the need at trial to individually authenticate each environmental consultant  
10 document and record on a party's exhibit list; and,

11 3. To facilitate a more efficient trial, AmeriPride and TEO have agreed to  
12 stipulate to the foundation of the designated environmental consultant documents and  
13 records listed below.

14 **STIPULATION**

15 Based on the foregoing, AmeriPride and TEO, through their respective counsel of  
16 record, stipulate as follows:

17 1. The documents and records designated as AmeriPride's trial exhibits 11  
18 through 81, 83 through 93, 95 through 133, 140 through 141, 143, 146 through 149, 157,  
19 160, 162, and 168 (excluding any exhibits withdrawn by AmeriPride) are subject to this  
20 Stipulation;

21 2. The documents and records designated as TEO's trial exhibits O, P, R  
22 through W, AA, BB, HH, LL through NN, CCC through FFF, HHH through KKK, MMM  
23 through 5U, 5W through 6B, 6D, 6I, 6K, 31V through 31Z, 33A, 33T, 33V through 34E,  
24 34G, 34H, 34T, 34V, 34Y through 35D, 35O, 35P, 37G, 37U, 37V, 38N through 38Q, 38T  
25 through 38X, 39A through 39K (except for the first page of Exhibits 38W, 39D, 39E, 39H,  
26 39J, 39K) are subject to this Stipulation;

27 ///

3. AmeriPride and TEO shall not object to the exhibits listed in paragraphs 1 and 2 of this Stipulation to on the basis of lack of foundation because each document or record satisfies the requirements of authenticity under Federal Rule of Evidence 901;

4. AmeriPride and TEO shall not object to the exhibits listed in paragraphs 1 and 2 of this Stipulation on the basis of hearsay of the document itself under Federal Rule of Evidence 801;

5. Neither TEO nor AmeriPride will object to the introduction or use during trial by either party of any of the exhibits listed in paragraphs 1 and 2 of this Stipulation on the basis of lack of foundation, improper authentication, or hearsay of the document itself;

6. AmeriPride and TEO agree that the exhibits listed in paragraphs 1 and 2 of this Stipulation qualify as records of a regularly conducted activity subject to the exception to the rule against hearsay in Federal Rule of Evidence 803(6);

7. AmeriPride and TEO expressly reserve their rights to object to the documents or records subject to this Stipulation on any other grounds, including hearsay statements within the document itself; and,

8. This Stipulation does not apply to any objections to foundation, authenticity, and/or hearsay with respect to any handwriting on the exhibits covered by this Stipulation.

Date: October 14, 2016

BASSI, EDLIN, HUIE & BLUM LLP

By: /s/ Fred M. Blum  
FRED M. BLUM  
ERIN K. POPPLER  
Attorneys for Defendant  
TEXAS EASTERN OVERSEAS, INC.

Date: October 14, 2016

HUNSUCKER GOODSTEIN PC

By: /s/ Brian L. Zagon  
PHILIP C. HUNSUCKER  
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Attorneys for Plaintiffs  
AMERIPRIDE SERVICES INC.

Date: October 14, 2016

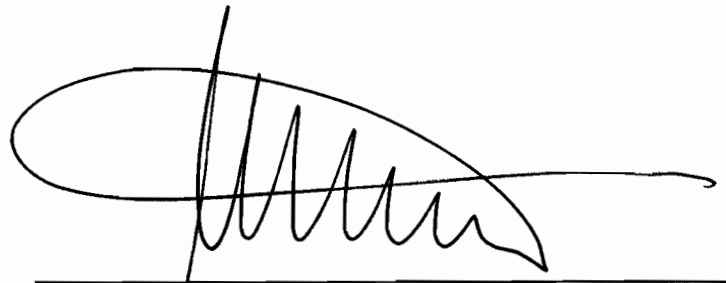
PERKINS MANN & EVERETT, APC

By: /s/ Lee N. Smith  
LEE N. SMITH  
Attorneys for Plaintiffs  
AMERIPRIDE SERVICES INC.

**ORDER**

IT IS SO ORDERED.

Date: 10.19.16

  
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HON. MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE